

RESOLUTION NO. 17419

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE IMPROVEMENTS AND THE FORMATION OF OPEN SPACE MAINTENANCE DISTRICT NO. 31, TELEGRAPH CANYON ESTATES, AND CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR FISCAL YEAR 1994-95

WHEREAS, the developer of Telegraph Canyon Estates Subdivision, has petitioned for the formation of an open space district in accordance with the criteria contained in Chapter 17.07 of the Chula Vista Municipal Code, incorporating in substantial part the Lighting and Landscaping Act of 1972 (commencing at Section 22500 of the Streets and Highways Code); and,

WHEREAS, pursuant to the provisions of Streets and Highways Code Section 22585, the City Council on October 19, 1993 adopted Resolution No. 17283 proposing to initiate proceedings to form the assessment district consisting of all property with the boundaries shown on Exhibit A and calling for an engineer's report to describe the improvements; and,

WHEREAS, on January 25, 1994, by Resolution No. 17374, the City Council approved the Engineer's Report on the proposed Open Space District No. 31, Telegraph Canyon Estates, and declared its intention to order the formation of the assessment district at public hearings to be conducted on March 8, 1994 and March 15, 1994, in accordance with the provisions of Section 22587 of said Act; and,

WHEREAS, the City Clerk has given notice of said public hearing by causing the resolution of intention to be published, posted and mailed as provided in Section 22556; and,


WHEREAS, on March 8 and March 15, 1992, the City Council conducted public hearings and afforded all interested persons the opportunity to hear and be heard, and considered all oral statements and written protests or communications made thereat or filed by any interested person and received any and all protests regarding the formation of the district and the levy of the proposed assessment; and,

WHEREAS, at said public hearings the City Council overruled any protests and ordered the improvements to be made and the formation of Open Space Maintenance District No. 31 and confirmed the diagram of the District.

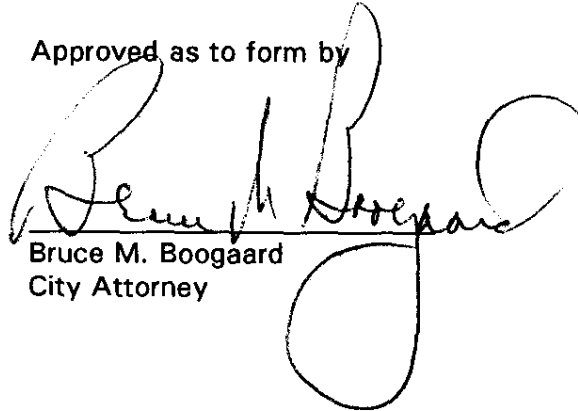
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby order the formation of Open Space Maintenance District No. 31 and confirm the diagram and assessment for said district in the amount of \$407.25 per unit for the full fiscal year as set forth in accordance with Article 4 of Chapter 1 of the Landscape and Lighting Act of 1972 for Open Space District No. 31 and Chapter 17.07 of the Chula Vista Municipal

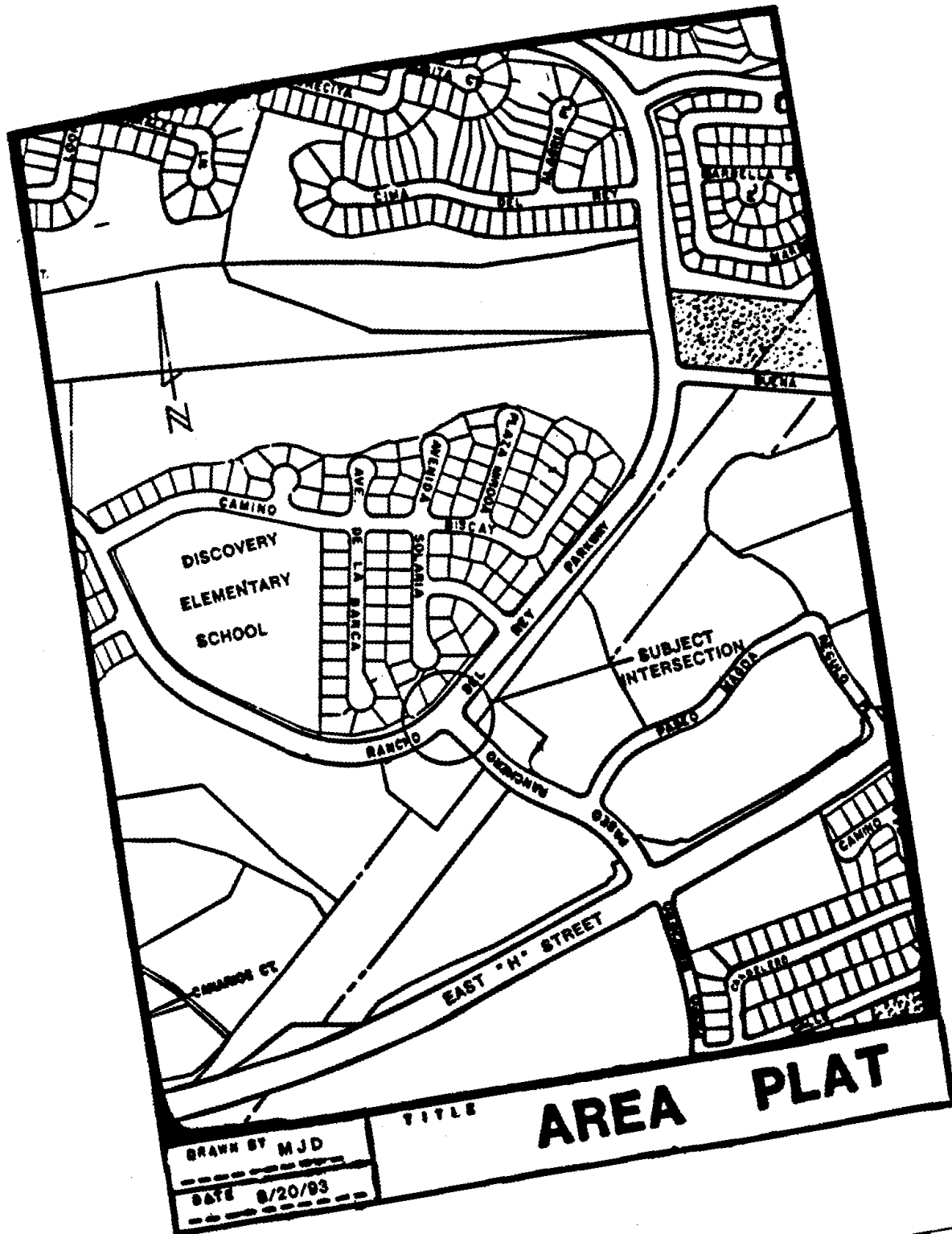
Code, and authorize the City Manager or his designee to rebate by check, all amounts received in the 93-94 fiscal year in excess of \$25.22 per E.D.U.

Presented by

  
John P. Lippitt  
Director of Public Works

Approved as to form by

  
Bruce M. Boogaard  
City Attorney



PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 15th day of March, 1994, by the following vote:

YES: Councilmembers: Fox, Rindone, Nader


NOES: Councilmembers: Horton, Moore

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None

  
Tim Nader, Mayor

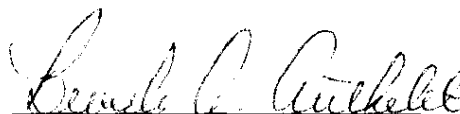
ATTEST:

  
Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Resolution No. 17419 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 15th day of March, 1994.

Executed this 15th day of March, 1994.

  
Beverly A. Authelet, City Clerk